Case 09-23459 Doc 1 Filed 06/27/09 Entered 06/27/09 17:19:12 Desc Main Document Page 1 of 12

	United States Bankruptcy Court Northern District of Illinois							Voluntary Petition				
Name of Debtor (if individual, enter Last, First, Middle):  Vertiz, Javier								Name of Joint Debtor (Spouse) (Last, First, Middle):  Vertiz, Emilia				
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):							All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):					
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all)  xxx-xx-5711							(if mor	Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all)				
Street Address of 4954 S. Woo Chicago, IL	Debtor		Street, City,	and State)	_	ZIP Code	Street 49 Ch	xxx-xx-7776  Street Address of Joint Debtor (No. and Street, City, and State):  4954 S. Wood 2nd Floor Chicago, IL  ZIP Code				
County of Resider	nce or o	of the Prin	cipal Place o	of Business		60609		•	ence or of the	Principal Pl	ace of Business:	
Cook	of Dobt	or (if diffe	rant from at	raat addras	(a):		Co		of Joint Dah	tor (if differe	ent from street address):	
Mailing Address of	or Debt	or (ii diffe	rent from su	reet addres	is):		Maiiii	ig Address	of Joint Debi	tor (ii differe	int from street address):	
					_	ZIP Code					ZIP Code	
Location of Princi (if different from s				r			<b>.</b>					
Type of Debtor (Form of Organization) (Check one box)  Individual (includes Joint Debtors) See Exhibit D on page 2 of this form.  Corporation (includes LLC and LLP)  Partnership  Other (If debtor is not one of the above entities, check this box and state type of entity below.)			Nature of Business (Check one box) Health Care Business Single Asset Real Estate as defin in 11 U.S.C. § 101 (51B) Railroad Stockbroker Commodity Broker Clearing Bank Other  Tax-Exempt Entity (Check box, if applicable) Debtor is a tax-exempt organiza under Title 26 of the United Stat Code (the Internal Revenue Cod				☐ Chapt☐	the 1 er 7 er 9 er 11 er 12	Petition is Fi	ptcy Code Under Which iled (Check one box)  hapter 15 Petition for Recognition f a Foreign Main Proceeding hapter 15 Petition for Recognition f a Foreign Nonmain Proceeding		
						e) anization d States	defined "incurr	d in 11 U.S.C. ed by an indiv	(Checonsumer debts,	business debts.  / for		
■ Full Filing Fee to be attach signed a is unable to pa □ Filing Fee wai attach signed a	be paid applica ay fee e iver req	in installm tion for the except in in	e court's con astallments. I oplicable to c	able to ind sideration Rule 1006 chapter 7 in	certifying t (b). See Offi ndividuals o	hat the debt cial Form 3A only). Must	tor Check	Debtor is c if: Debtor's a to insiders all applica A plan is Acceptance	a small busin not a small b aggregate not s or affiliates; ble boxes: being filed w ces of the pla	ncontingent I ) are less that  with this petiti an were solici	s defined in 11 U.S.C. § 101(51D). or as defined in 11 U.S.C. § 101(51D). liquidated debts (excluding debts owed n \$2,190,000.	
Statistical/Admin  ☐ Debtor estimat  ☐ Debtor estimat there will be n	tes that	funds will , after any	be available exempt prop	perty is ex	cluded and	administrat		es paid,		THIS	S SPACE IS FOR COURT USE ONLY	
Estimated Number  1- 50- 49 99		editors  100- 199	200- 999	1,000- 5,000	5,001- 10,000	10,001- 25,000	25,001- 50,000	50,001- 100,000	OVER 100,000			
Estimated Assets  \$0 to \$50,000 \$100	,001 to 0,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	\$100,000,001 to \$500 million	\$500,000,001 to \$1 billion	More than \$1 billion			
Estimated Liabilities					\$500,000,001 to \$1 billion							

Case 09-23459 Doc 1 Filed 06/27/09 Entered 06/27/09 17:19:12 Desc Main Document Page 2 of 12

B1 (Official Form 1)(1/08) Page 2 Name of Debtor(s): **Voluntary Petition** Vertiz, Javier Vertiz, Emilia (This page must be completed and filed in every case) All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet) Location Case Number: Date Filed: Where Filed: - None -Location Case Number: Date Filed: Where Filed: Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet) Name of Debtor: Case Number: Date Filed: - None -District: Relationship: Judge: Exhibit B Exhibit A (To be completed if debtor is an individual whose debts are primarily consumer debts.) (To be completed if debtor is required to file periodic reports (e.g., I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, forms 10K and 10Q) with the Securities and Exchange Commission 12, or 13 of title 11, United States Code, and have explained the relief available pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 under each such chapter. I further certify that I delivered to the debtor the notice and is requesting relief under chapter 11.) required by 11 U.S.C. §342(b). ☐ Exhibit A is attached and made a part of this petition.  $\mathbf{X}$  /s/ Joseph Q. Lou June 27, 2009 Signature of Attorney for Debtor(s) (Date) Joseph Q. Lou 6290082 Exhibit C Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety? Yes, and Exhibit C is attached and made a part of this petition. No. Exhibit D (To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.) Exhibit D completed and signed by the debtor is attached and made a part of this petition. If this is a joint petition: ■ Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition. Information Regarding the Debtor - Venue (Check any applicable box) Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District. П Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District. Certification by a Debtor Who Resides as a Tenant of Residential Property (Check all applicable boxes) Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.) (Name of landlord that obtained judgment) (Address of landlord) Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition. Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(1)).

## B1 (Official Form 1)(1/08) Document Page 3 of 12

## **Voluntary Petition**

(This page must be completed and filed in every case)

## Signature(s) of Debtor(s) (Individual/Joint)

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

### X /s/ Javier Vertiz

Signature of Debtor Javier Vertiz

### X /s/ Emilia Vertiz

Signature of Joint Debtor Emilia Vertiz

Telephone Number (If not represented by attorney)

### June 27, 2009

Date

### Signature of Attorney\*

## X /s/ Joseph Q. Lou

Signature of Attorney for Debtor(s)

### Joseph Q. Lou 6290082

Printed Name of Attorney for Debtor(s)

### Joseph Q. Lou, LLC

Firm Name

2915 W. Devon Ave Chicago, IL 60659

Address

## Email: Law@Josephlou.com

### 773-262-8484 Fax: 773-262-8485

Telephone Number

## June 27, 2009

Date

\*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

## Signature of Debtor (Corporation/Partnership)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X

Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

Name of Debtor(s):

Vertiz, Javier

Vertiz, Emilia

## Signatures

### Signature of a Foreign Representative

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

- ☐ I request relief in accordance with chapter 15 of title 11. United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached.
- ☐ Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

•	v

Signature of Foreign Representative

Printed Name of Foreign Representative

Date

## **Signature of Non-Attorney Bankruptcy Petition Preparer**

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social-Security number (If the bankrutpcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.)(Required by 11 U.S.C. § 110.)

\_

Date

Address

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.

Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.

## Case 09-23459 Doc 1 Filed 06/27/09 Entered 06/27/09 17:19:12 Desc Main Document Page 4 of 12

B 1D(Official Form 1, Exhibit D) (12/08)

## **United States Bankruptcy Court Northern District of Illinois**

In re	Javier Vertiz Emilia Vertiz		Case No.	
		Debtor(s)	Chapter	7

## EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.

- 1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.
- □ 2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. *You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed.*
- □ 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Summarize exigent circumstances here.] \_\_\_\_

If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.

Case 09-23459 Doc 1 Filed 06/27/09 Entered 06/27/09 17:19:12 Desc Main Document Page 5 of 12

B 1D(Official Form 1, Exhibit D) (12/08) - Cont.
☐ 4. I am not required to receive a credit counseling briefing because of: [Check the applicable
statement.] [Must be accompanied by a motion for determination by the court.]
☐ Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or
mental deficiency so as to be incapable of realizing and making rational decisions with respect to
financial responsibilities.);
☐ Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being
unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or
through the Internet.);
☐ Active military duty in a military combat zone.
□ 5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.
I certify under penalty of perjury that the information provided above is true and correct.
Signature of Debtor: /s/ Javier Vertiz Javier Vertiz
Date: June 27, 2009

## Case 09-23459 Doc 1 Filed 06/27/09 Entered 06/27/09 17:19:12 Desc Main Document Page 6 of 12

B 1D(Official Form 1, Exhibit D) (12/08)

## **United States Bankruptcy Court Northern District of Illinois**

In re	Javier Vertiz Emilia Vertiz		Case No.	
		Debtor(s)	Chapter	7
			-	·

# EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.

- 1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.
- □ 2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed.
- □ 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Summarize exigent circumstances here.] \_\_\_\_

If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.

Case 09-23459 Doc 1 Filed 06/27/09 Entered 06/27/09 17:19:12 Desc Main Document Page 7 of 12

B 1D(Official Form 1, Exhibit D) (12/08) - Cont.
☐ 4. I am not required to receive a credit counseling briefing because of: [Check the applicable
statement.] [Must be accompanied by a motion for determination by the court.]
☐ Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or
mental deficiency so as to be incapable of realizing and making rational decisions with respect to
financial responsibilities.);
☐ Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being
unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or
through the Internet.);
☐ Active military duty in a military combat zone.
□ 5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.
I certify under penalty of perjury that the information provided above is true and correct.
Signature of Debtor: /s/ Emilia Vertiz Emilia Vertiz
Date: June 27, 2009

Allied Interstate, Inc Attn: Bankruptcy Notice 3959 Blackstone Dr Aurora, IL 60504

Americas Servicing Co Attention: Bankruptcy 1 Home Campus Des Moines, IA 50328

Charter One 1215 Superior Avenue Cleveland, OH 44114

Citi Attn: Centralized Bankruptcy Po Box 20507 Kansas City, MO 64915

Citi Po Box 6241 Sioux Falls, SD 57117

City of Chicago Department of Revenue 121 North LaSalle Street, #107 Chicago, IL 60602

City of Chicago Department of Water Management PO Box 6330 Chicago, IL 60680

Codilis & Associates, P.C. ATTN: BANKRUPTCY NOTICE 15W030 North Frontage Road, #100 Burr Ridge, IL 60527

ComEd ATTN: BANKRUPTCY NOTICE P.O. Box 805379 Chicago, IL 60680

Cook County Treasurer PO Box 4488 Carol Stream, IL 60197

Cook County Treasurer PO Box 4488 Carol Stream, IL 60197

Cook County Treasurer PO Box 4488 Carol Stream, IL 60197

Cook County Treasurer PO Box 4488 Carol Stream, IL 60197

Corporate Receivables, Inc Attn: Bankruptcy Notice PO Box 32995 Phoenix, AZ 85064

Credit Collection Services Attn: Bankruptcy Notice Two Wells Avenue, Dept 587 Newton Center, MA 02459

Credit Collection Services Attn: Bankruptcy Notice Two Wells Avenue, Dept 587 Newton Center, MA 02459

David T. Cohen & Associates 10729 West 159th Street Orland Park, IL 60467

Debt Credit Services 2493 Roming Rd Akron, OH 44320

DirectTV PO Box 9001069 Louisville, KY 40290

Diversified Consultants, Inc PO Box 551268 Jacksonville, FL 32255 Donald L. Newman & Associates 11 S. LaSalle St, Suite 1500 Chicago, IL 60603

Elan Financial Service Cb Disputes St Louis, MO 63166

Elan Financial Service Cb Disputes St Louis, MO 63166

First National Bank Credit Card Center Attention: Bankruptcy Department Po Box 3331 Stop Code 3105 Omaha, NE 68103

G M A C Po Box 130424 Roseville, MN 55113

Hsbc/rs Pob 15521 Wilmington, DE 19805

Lvnv Funding Llc Po Box 740281 Houston, TX 77274

Lvnv Funding Llc Po Box 740281 Houston, TX 77274

Martin & Karcazes LTD 161 N. Clark St Suite 550 Chicago, IL 60601

Menards PO Box 15521 Wilmington, DE 19850

Metro. Bank 2201 W. Cermak Rd. Chicago, IL 60608 National City Mortgage Attn: Bankruptcy Dept 3232 Newmark Dr. Miamisburg, OH 45342

North Community Bank PO Box 790408 Saint Louis, MO 63179

People's Gas C/O Bankruptcy Department 130 E. Randolph Chicago, IL 60602

Peoples Gas C/O Bankruptcy Department 130 E. Randolph Drive Chicago, IL 60602

Pierce & Associates Attn: Bankruptcy Notice 1 N. Dearborn, #1300 Chicago, IL 60602

Pierce & Associates 1 North Dearborn, 13th flr Chicago, IL 60602

Platinum Recovery Attn: Bankruptcy Notice PO Box 541090 Omaha, NE 68154

Quest Diagnostics PO Box 64804 Baltimore, MD 21264

Second Federal Savings PO Box 790408 Saint Louis, MO 63179

T-Mobile Attn: Bankruptcy Notice PO Box 742596 Cincinnati, OH 45274 Tbf Financial Llc 520 Lake Cook Rd Ste 510 Deerfield, IL 60015

Tcf Mortgage Corporati Attn: Legal Dept 801 Marquette Ave Minneapolis, MN 55402

US Bank, NA Bankruptcy/Recovery Dept PO Box 5229 Cincinnati, OH 45201

Usb Manifest 1450 Child Parkway Marshall, MN 56258

Victoria's Secret Po Box 182273 Columbus, OH 43218

Walter E. Smithe Furniture Retail Services PO Box 17602 Baltimore, MD 21297

West Asset Management 7820 East Broadway Suite 200 Tucson, AZ 85710